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Champion Energy, LLC )  
)  
Petition for Relief to Protect Petitioner's )  
2007 Call Center Report and 2007 )  
Kilowatt-Hour Report From Disclosure )  
For Not Less Than Five Years To Protect )  
Highly Confidential and Proprietary )  
Information )

Docket No. 08-

0169

CHIEF CLERK'S OFFICE

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ILLINOIS  
COMMERCE COMMISSION

**PETITION FOR RELIEF OF CHAMPION ENERGY, LLC**

Pursuant to 83 Ill. Adm. Code 451.60 and 200.430, Champion Energy, LLC, Petitioner

or "Champion"), hereby petitions the Illinois Commerce Commission ("ICC" or "Commission") for relief to protect Petitioner's 2007 Kilowatt-Hour Report and 2007 Call Center Report (collectively the "2007 Reports") from disclosure for not less than five years to protect highly confidential and proprietary information included therein. In support of this Petition, Petitioner states as follows:

1. Petitioner is certified by the Commission as an Alternative Retail Electric Supplier ("ARES") in the State of Illinois. The Commission granted the Petitioner a certificate of service authority as an ARES on January 17, 2007, in Docket No. 06-0720.

2. Petitioner is required, pursuant to 83 Ill. Adm. Code 410.45, to submit to the Commission no later than March 1 of each year a report for the preceding calendar year providing the Commission with company- and customer-specific data regarding Champion's customer call center ("Call Center Report").

3. Petitioner is also required, pursuant to 83 Ill. Adm. Code 451.770, to submit to the Commission no later than March 1 of each year a report for the preceding calendar year

stating the total annual kilowatt-hours delivered and sold by Petitioner to retail customers within each utility service territory ("Kilowatt-Hour Report").

4. Pursuant to 83 Ill. Adm. Code 410.45 and 451.770, on February 28, 2008, Petitioner will submit via overnight delivery its Call Center Report and Kilowatt-Hour Report for 2007 to the Chief Clerk of the Commission with copies of the former provided to the Manager of the Consumer Services Division and the latter to the Manager of the Energy Division and the Manager of the Financial Analysis Division. Information in the 2007 Reports contains confidential and proprietary information and will be designated as such upon submission to the Commission.

5. Information contained in the 2007 Reports is highly sensitive material that Champion has designated to be highly proprietary and confidential information and should be protected from public disclosure. Specifically, each Report contains commercial information that is privileged or confidential and is exempt from public disclosure under Section 7(g) of the Illinois Freedom of Information Act, 5 ILCS 140/7.

6. Section 451.60 of the Commission's administrative rules (83 Ill. Adm. Code 451.60) provides that "If an applicant or ARES believes any of the information to be disclosed by an applicant or ARES is privileged or confidential, the applicant or ARES should request that the Commission enter an order to protect the confidential, proprietary or trade secret nature of any data, information or studies pursuant to 83 Ill. Adm. Code 200.430."

7. Section 7 of the Illinois Freedom of Information Act (5 ILCS 140/7(g)) exempts from public disclosure "trade secrets and commercial or financial information . . . where the trade secrets or information are proprietary, privileged or confidential, or where disclosure of such trade secrets or information may cause competitive harm." The commercial information

contained in the Petitioner's 2007 Reports falls within this exemption. More particularly, the material includes, but is not limited to, market-sensitive material which is company specific, and/or information of highly commercially sensitive nature involving company business operations. The confidential commercial information in these Reports is not widely available or known outside of Champion and would be of considerable value to competitors, or potential competitors, of Champion to the serious detriment of Champion.

8. The electric service industry is highly competitive, and it is imperative that public disclosure of the confidential information contained in Champion's 2007 Reports be avoided for a period of at least five years. The Commission has previously afforded proprietary and confidential treatment to the type of information contained in Champion's 2007 Reports for which Champion seeks protection. *See, e.g., Petition for Emergency Relief of Constellation NewEnergy, Inc.*, Docket No. 07-0148, Order (Apr. 18, 2007); *Petition for Relief to Protect Portions of Strategic Energy's Kilowatt-hour Report as an Alternative Retail Electric Supplier*, Docket No. 07-0159, Order (May 2, 2007); *Petition for Confidential Treatment of BlueStar Energy Services, Inc.'s 2005 Annual Kilowatt-Hour Report and Call Center Report pursuant to 83 Ill. Adm. Code 451.60*, Docket No. 06-0169, Order (May 3, 2006).

9. Accordingly, Petitioner seeks an Order from this Commission, without hearing, protecting from disclosure, for a period of not less than five years from the date of this Order, the Petitioner's confidential and proprietary information provided in each of Petitioner's 2007 Reports. For the Commission's convenience, a Draft Order in a form substantially similar to those previously issued by the Commission in similar proceedings is attached hereto.

WHEREFORE, PREMISES CONSIDERED, Champion Energy, LLC respectfully requests that the Commission enter an Order, without hearing, protecting from disclosure the above-referenced information filed with Commission for a period of not less than five years.

Respectfully submitted,

**CHAMPION ENERGY, LLC**



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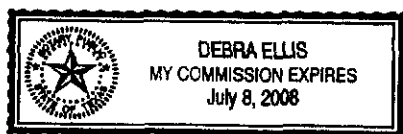
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Dated: February 27, 2008

**VERIFICATION**

STATE OF TEXAS            )  
                                      )  
COUNTY OF HARRIS        )

I, Mark Siismets, being first duly sworn upon my oath, depose and state that I am Senior Vice President for Champion Energy, LLC; that I have reviewed the information contained and attached to Champion Energy's 2007 Reports; that I have read the above and foregoing Petition for Relief; and that said contents are true, correct and complete to the best of my knowledge, information and belief.



A handwritten signature in cursive script, appearing to read "Mark Siismets".

\_\_\_\_\_  
Mark Siismets

Subscribed and sworn to before me this 27<sup>th</sup> day of February, 2008.

A handwritten signature in cursive script, appearing to read "Debra Ellis".

\_\_\_\_\_  
Notary Public